

REMARKS

Claims 1 and 3-23 are pending in the application. Claim 2 was previously canceled. Claim 23 was previously added. Reconsideration of this application is respectfully requested.

The Office Action rejects claims 14-18 and 20-22 under 35 U.S.C 102(a) as being anticipated by U.S. Patent No. 6,058,383 to Narasimhalu et al., hereafter "Narasimhalu". Claims 14, 21 and 22 are independent. This rejection is respectfully traversed for the reasons set forth below.

Claim 14 provides a method, for use in a server or client system, of determining that a file is virus-free. The method includes the steps of determining whether a virus-free certificate is integrated within a file. If a virus-free certificate is integrated within the file, the method includes authenticating the virus-free certificate, and authenticating the file. The virus-free certificate comprises a file signature, and the file signature certifies that the file has been declared virus-free by a virus-free certificate authority.

Narasimhalu discloses a method for trusted and dynamic dissemination of digital objects contained in a distribution package. Trustworthiness of the objects are certified by a trusted third party, called a certification authority, in the form of a certificate used by end users to verify the trust criteria of any individual or any subset of objects specified by the package (col. 2, lines 30-47).

An end user downloads the certificate of a distribution package from an information provider and then verifies its validity (col. 2, lines 48-51). If the certificate is verified, the end user can then download objects in the package and verify whether a received object meets trust criteria by computing the digest of the object and comparing it with the corresponding digest in the certificate (col. 2, lines 51-58). The end user can dynamically download additional objects, check

their trustworthiness without having to verify the certificate multiple times (col. 2, lines 58-60).

Narasimhalu thus discloses downloading a certificate of a package, verifying the certificate's validity, and if the certificate is valid, downloading desired objects from the package. Narasimhalu discloses associating a certificate with a **package** that includes various digital objects. Narasimhalu **does not disclose** determining whether a virus-free **certificate is integrated within a file**. Therefore, Narasimhalu does not disclose or suggest a method including determining whether a virus-free certificate is integrated within a file," as recited in claim 14.

Thus, Narasimhalu does not disclose or suggest the elements of claim 14. Therefore, claim 14 is patentable over Narasimhalu.

Claims 15-18 and 20 depend on claim 14. For at least reasoning similar to that provided in support of the patentability of claim 14, claims 15-18 and 20 are patentable over Narasimhalu.

Claims 21 and 22 include recitals similar to claim 14. For at least reasoning similar to that provided in support of the patentability of claim 14, claims 21 and 22 are patentable over Narasimhalu.

For the reasons set forth above, it is submitted that the rejection of claims 14-18 and 20-22 as being anticipated by Narasimhalu is erroneous and should be withdrawn.

In the Office Action, claims 1, 3-7, 9-13, 19 and 23 are rejected under 35 U.S.C. 103(a) as being unpatentable over Narasimhalu in view of U.S. Patent No. 5,892,904 to Atkinson et al., hereinafter "Atkinson". Claims 1, 12, 13 and 23

are independent. This rejection is respectfully traversed for the reasons set forth below.

As discussed above, Narasimhalu discloses downloading a certificate of a package, verifying the certificate's validity, and if the certificate is valid, downloading desired objects from the package. The Office Action states that Narasimhalu does not disclose determining whether a virus-free certificate is integrated in the file, and integrating the generated certificate in the file.

Atkinson discloses a certification or signing method that ensures the authenticity and integrity of a computer program, an executable file, or code received over a computer network. The Office Action states that Atkinson discloses determining whether a virus-free certificate is integrated in the file, and integrating the generated certificate in the file. The Office Action offers that it would have been obvious to have combined the two references in order to verify the source of the file. Applicants respectfully disagree.

There is no suggestion or motivation for combining the teachings of Narasimhalu and Atkinson. The Office Action contends that Atkinson discloses integrating a certificate in a file, and that it would be obvious to combine the teachings of Narasimhalu and Atkinson by integrating a certificate in a file. However, integrating a certificate into a file, as the Office Action claims is disclosed in Atkinson, would render the method of Narasimhalu unsuitable for its intended purpose.

Narasimhalu discloses downloading objects, such as text, graphics, animation, video, audio and software, for a distribution package (col. 4, lines 37-43). The user separately downloads a certificate for the entire package, which is used to verify the validity of all of the objects in a package. The user then separately validates each object by comparing the digest of the downloaded object with the corresponding digest in the certificate. "The end user can

dynamically **download additional objects**, check their trustworthiness **without having to verify the certificate multiple times**. (col. 2, lines 58-60)”

Thus, Narasimhalu specifically avoids integrating a certificate with individual objects, in order to allow multiple objects to be verified with a single certificate. Should a certificate be integrated with each object, as the Office Action states is taught in Atkinson, the user would then need to verify each certificate as it is downloaded with each object. This would nullify the advantage articulated in Narasimhalu, namely to avoid having to verify a certificate for each object.

Therefore, because combining the alleged teachings of Atkinson with the teachings of Narasimhalu would render Narasimhalu unsuitable for its intended purpose, there is no suggestion or motivation to combine the teachings of Narasimhalu and Atkinson. Thus, claims 1, 3-7, 9-13, 19 and 23 are patentable over the cited combination of Narasimhalu and Atkinson.

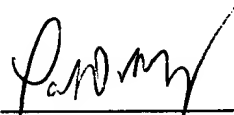
Accordingly, independent claims 1, 3-7, 9-13, 19 and 23 are not made obvious by the combination of cited references. As such, reconsideration and withdrawal of the 35 U.S.C. 103(a) rejection is respectfully requested.

Claims 1 and 3-23 are rejected under the judicially created doctrine of obviousness-type double patenting as being unpatentable over claims 1-17 of U.S. Patent Application No. 09/665,040, now U.S. Patent No. 6,928,550 to Le Pennec et al., in view of U.S. Patent No. 5,136,647 to Haber et al., U.S. Patent No. 5,475,753 to Barbara et al., OR U.S. Patent No. 5,892,904 to Atkinson et al. Applicants enclose a Terminal Disclaimer to overcome this rejection.

An indication of the allowability of all pending claims by issuance of a Notice of Allowability is earnestly solicited.

Respectfully Submitted,

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Paul D. Greeley
Reg. No. 31,019
Attorney for Applicants
Ohlandt, Greeley, Ruggiero & Perle, L.L.P.
One Landmark Square, 10th Floor
Stamford, CT 06901-2682
(203) 327-4500